

PATENT
ROSE 3.0-036

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of
Hiatt et al.

Application No. 08/300,484

Filed: September 2, 1994

Group Art Unit: 1623

Examiner: James O. Wilson

Date: May 20, 1999

For: Enzyme Catalyzed Template-Independent Creation of:
Phosphodiester Bonds Using Protected NucleotidesAssistant Commissioner For Patents
Washington, D.C. 20231

X

AMENDMENT

Sir:

Please amend the above-captioned patent application as follows.

IN THE CLAIMS:

Cancel claims 1-38.

Please add the following claims.

1 39. A method for synthesizing a polynucleotide of a predetermined sequence, comprising:

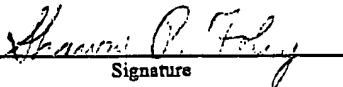
(a) providing an initiating substrate comprising a nucleoside having an unprotected 3'-hydroxyl group; and

(b) reacting said initiating substrate with a nucleoside 5'-triphosphate having its 3' position protected with a removable blocking moiety, wherein said nucleoside 5'-triphosphate is selected according to the order of said predetermined sequence, in the presence of an enzyme that catalyzes the formation of a 5' to 3' phosphodiester linkage between said

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent Office on the date shown below.

Shawn P. Foley, Esq.



Signature

May 20, 1999

Date

To: U.S.P.T.O.
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No. of Pages: 4

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In re Patent Application of :
 Hiatt, et al. : Group Art Unit: 1623
 Application No. 08/300,484 : Examiner: J. O. Wilson
 Filed: September 2, 1994 : Date: May 20, 1999
 For: Enzyme Catalyzed Template- :
 Independent Creation of X

Assistant Commissioner for Patents
 Washington, D.C. 20231

Sir:

Transmitted herewith is an amendment in the above-identified application.
 The fee has been calculated as shown below.

CLAIMS AS AMENDED						
(1)	(2)	(3)	(4)	(5)	(6)	(7)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PAID FOR	NUMBER OF EXTRA CLAIMS	RATE	ADDL. FEE
TOTAL						
CLAIMS	* 55	MINUS	** 94	= 0	x \$ 9 = \$	0.00
INDEP.						
CLAIMS	* 1	MINUS	*** 3	= 0	x \$ 39 = \$	0.00
FEE FOR FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM(S)					\$130 = \$	130.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT.....						\$ 130.00

* If the entry in col. 2 is less than entry in col. 4 write "0" in col. 5.

** If the "highest number paid for" in this space is less than 20, write "20" in this space.

*** If the "highest number paid for" in this space is less than 3, write "3" in this space.

1. (a) A Verified Statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 has been filed.

(b) A Verified Statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.

2. No additional fee is required.

3. Charge \$130.00 to Deposit Account No. 12-1095. A duplicate copy of this sheet is enclosed.

4. Please charge any additional fees or credit overpayment to Deposit Account No. 12-1095. A duplicate copy of this sheet is enclosed.

LERNER, DAVID, LITTMERBERG,
 KRUMHOLZ & MENTLIK, LLP

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